

	9		11
1 A	Not about this probation, but there were letters to him about the subsequent extension of his training, which would be equivalent to another probation.	1	lifted?
2 Q	Do you recall when your face-to-face meeting with Raj took place prior to your sending this e-mail?	2 A	We -- we discussed the results of the test right then and there, and he knew that at the time, yes.
3 Q	I don't remember the exact dates but after he took the oral exam and didn't pass, that in itself would prohibit him from going on to the next year because it's one of the requirements for progression that he have passed his oral exam. So it was sort of on the -- on the face of it that he would be on probation until he took the exam over. So I asked him to take the exam over. I tried to encourage him to take it over. He said no, we were prejudiced against him, and he wasn't going to take it over because the results would be the same. I disagreed with him, and I said he	5 Q	Who were the examiners on the second test?
4 A		7 A	I was, Dr. Festin was, and Dr. Swett was, Festin, F-e-s-t-i-n, and Swett, Chester Swett, S-w-e-t-t.
5 Q		10 Q	Who were the examiners on the first time?
6 Q		12 A	Dr. Festin and I and Dr. Alexander.
7 A		13 Q	Was there any reason that Dr. Alexander did not participate in the second oral examination of Raj?
8 Q		16 A	Well, I'm not sure if he were available that day. Secondly, Dr. Swett was chief -- chief of the service at that point, and we just thought it would be better -- a better policy to have somebody higher up be participating in the test because we knew that Raj was upset about it.
9 A		24 Q	Were there any letters or prior
10 Q	10		12
11 Q	would need to take it over, and once he took it over, he'd be off probation.	1	e-mails to Raj stating that he was in danger of getting placed on probation, letters or e-mails?
12 Q	[There was an interruption.]	4 A	There were a number of complaints about him. I don't know exactly when they started but not really. The not taking the test was the biggie because that was on our printed requirements for progression and promotion. *
13 Q	THE WITNESS: And passed he would be off probation.	10 Q	So is it fair to say -- and correct me if I'm wrong -- is it fair to say then that Raj never got a letter from you saying you better do this, this, and this, or you're in danger of being placed on probation?
14 A	And these communications again were verbal face to face between you and Raj, correct?	16 A	That's true.
15 Q	Right.	17 Q	Did you send this e-mail that's been marked as Exhibit 1 in a moment of peak at Dr. Badgaiyan, Doctor?
16 Q	So there were no letters on your stationery advising Raj, A, that he was formally placed on probation, is that correct?	20 Q	MR. FARQUHAR: I'm just going to object to the phrasing "moment of peak." Would you just define that?
17 A	That's right.	23 Q	Were you angry at Dr. Badgaiyan? You had learned that he was teaching a
18 Q	Was there any letter on your stationery advising Raj that he was off probation?	24 Q	
19 A	Not this time. It took him over a year to take the test over.		
20 Q	And when he took the test over, he passed?		
21 A	Yes.		
22 Q	And did you e-mail that probation is		